

74-C-127

Jury demand date:

TITLE OF CASE				ATTORNEYS			
LEOTA C. GIVENS v. MARCUS HORN and THE AMERICAN NATIONAL BANK AND TRUST COMPANY, OF SAPULPA, OKLAHOMA				For plaintiff: John S. Wrinkle 615-266-1443 920 Hamilton National Bk. Bldg. Chattanooga, Tennessee 37402 John Klenda 584-3521 Beacon Bldg. Tulsa, Ok			
				For defendant: Sam T. Allen III Loeffler & Allen (for Amer. Nat'l Bk) Loeffler-Allen Bldg. P. O. Box 230 Sapulpa, Okla. 74066 (224-5302) John W. Young (Marcus Horn) Jerry Abercrombie P.O. Box 1364 Sapulpa, OK 74066 John R. Richards Thurston National Building Tulsa, Oklahoma 74103 (Amer. Nat'l Bank)			
STATISTICAL RECORD		COSTS		DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 3-1-74		Clerk		2/27/74	Wrinkle	15.00	
				2-28-74	C/D #33		15 00
J.S. 6 mailed 3-1-76		Marshal					
Basis of Action: 2 Counts recovery of exemplary and punitive damages		Docket fee					
		Witness fees					
Action arose at:		Depositions					

DATE	PROCEEDINGS	Date Order or Judgment Noted
2-27-74	1. COMPLAINT filed, SUMMONS issued.jj	
3-11-74	Summons, ret. & filed: served Guy L. Berry & Marcus Horn at Sapulpa, Ok. 3-8-74. (USM \$9.60)g	
3-18-74	3. ANSWER of deft., Amer. Nat'l Bnk and Trust, filed. e	
3-27-74	4. Answer of Deft. <u>Marcus Horn</u> , filed. v	
4-23-74	5. Interrogatories of plaintiff to Marcus Horn, Sapulpa, Okla, filed. ds	
4-23-74	6. Interrogatories of plaintiff to Mr. Guy L. Berry, Pres. American National Bank & Trust Co. of Sapulpa, Okla, filed. ds to Marcus Horn	
5-8-74	7. Answers to interrogatories/ filed. g	
5-17-74	Parties directed to hold pre-trial conference on or before 6-24-74 and file pre-trial order on or before 7-1-74. (AEB-J)hm	
8-9-74	MO: Case set for disposition on 8-27-74 at 10:00 a.m. for failure to file Pretrial Order (due 7-1-74). (AEB-J)k cps mld	
8-19-74	MO: Case stricken from disposition docket at the request of John S. Wrinkle. Case to be re-set on next disposition docket. (AEB-J)b parties notified by phone	
10-2-74	8. Appl. of Jerry Abercrombie to withdraw as atty. of record, filed. rm	
10-4-74	9. Order, filed granting Abercrombie to w/draw as deft. atty for Marcus Horn. (FD-J for AEB)k cps mald	
10-29-74	10. Ans. to interrogatories of pltf to Mr. Guy L. Berry, Pres. American Nat'l. Bank & Trust Co. of Sapulpa, Okla., filed. lm	
12-6-74	MO: Case set for disposition on 12-10-74 at 10:30 a.m. for failure to file PT Order (due 7-1-74). (AEB-J)k cps by cert. mail for failure to file pre-trial order.	
12-10-74	Case called for disposition/ Parties represented. John Klenda appearing as local counsel for Mr. Wrinkle. Pltf. given 30 days (1-13-75) to file PT order or motion for S/J or any pleadings. (AEB-J)b	
12-30-74	11. Defendant's <u>Marcus Horn</u> Interrogatories, filed. g	
1-21-75	12. Pltf's APPLICATION for additional 30 days within which to file a PT Order., filed. (o to J)lm	
1-22-75	13. Order, filed, granting pltf. 30 additional days to file pre-trial order. (AEB-J)g	
3-6-75	14. Appl. of pltf. for add. time to file pre-trial order, filed. rm o to j	
3-11-75	15. Order, filed, that Pltf. is granted 15 additional days from this date to file pretrial order. (AEB-J)v -copies mailed.	
4-4-75	16. Ans. to Int. Propounded by Deft., Marcus Horn, to Pltf, Leota C. Givens, filed.jj	
5-28-75	17. Plaintiff's proposed pre-trial order, filed.k	
6-11-75	18. Proposed pretrial order of the American National Bank and Trust Company of Sapulpa, OK, filed. v	

DATE	PROCEEDINGS	Date Order or Judgment Noted
m 6-12-75	19. Motion for S/Judgment by deft. Marcus Horn, filed. g	
6-12-75	20. Brief in support of Marcus Horn's mot. for S/J, filed. g	
6-12-75	MO: Pltf. granted 10 days to repond to Horn's mot. for S/J. (AEB-J)g	
6-13-75	21. Proposed pretrial order of Marcus Horn, Deft., filed. v	
6-30-75	22. Brief in support of contentions of plaintiff, filed. g	
8-25-75	MO: Case referred to Mag. Bradford for F&R re pending mots. (AEB-J)k	
10-17-75	23. Mot. for Summary Judgment by Deft., American Ntl. Bnk. & Trust Co. of Sapulpa, OK, filed. v	
10-17-75	24. Brief in Support, filed. v	
10-20-75	MO: It is ordered by the Court that Pltf. is granted 10 days from this date to respond to the Mot. for S/J fld. by Deft. American Ntl. Bnk. (AEB-J)v	
10-22-75	Case called for hearing on deft/ motion for summary judgment, before Magistrate. Parties present. Deft's motin is denied. Pltf counsel John Klenda to prepare formal order & F&R in 5 days.(MLB-Mag) b	
10-23-75	Findings & Recommendations of Magistrate, filed. b cps mld	
10-28-75	26. Response of Pltf., Leota C. Givens, to the Recent Mtn. of the Deft., American National Bank & Trust Co. of Sapulpa, Okla. for S/J, filed.jj	
11-4-75	27. Order, filed, overruling motion of deft. Marcus Horn for Summary Judgment. (AEB-J)g cpies mailed.	
11-6	MO: Case set for hrg. on def. American Natl. mo/SJ before Mag. Bradford for 9:00 a.m., 11/19/75.(MLB-Mag)rm	
11-19	Case called for hearing on deft. American Nat'l mo/SJ before Mag. Bradford. By agreement of attorneys they did not appear & requested Magistrate to make recommendations.(MLB-Mag)b	
11-26	28 Findings & Recommendations of Magistrate, filed, recommending that motion for S/J of Deft. American Nat'l Bank & Tr. of Sapulpa, Ok. be overruled.(MLB-Mag)b cps mld	
11-28	29. First Interog. of deft. American Natl. Bank to plaintiff, filed.k	
12-9	30. Order, filed, that Deft. American Ntl. Bank & Trust of Sapulpa, OK's mot. for S/J is overruled. (AEB-J)v -cps. mld.	
1-13-76	Depo. of Leota C. Givens on behalf of Defts. taken before Glen R. Dorrough, CSR on Dec. 26, 1975 in Tulsa, Fee paid by Defts. \$160.50.tc	
1-27	MO: Case set for NON-JURY TRIAL on 3-1-76 at 10:00 a.m. (AEB-J)v	
2-6	31. Application for Continuance,filed.t	-ntc mld.
2-10	MO: The Court has for consideration the plaintiff's application for continuance, and, being fully advised in the premises, IT IS ORDERED THAT the plaintiff's application for continuance beand the same is hereby denied. (AEB-J)t cps. mld.	

DATE	PROCEEDINGS	Date Order or Judgment Note
2-17-76	32. Supplemental pretrial order, filed. (AEB-J)g	
2-17	33 Trial Brf. of the Deft., American National Bank & Trust Company of Sapulpa, Oklahoma, filed. t <i>copy of Bf to Marilyn</i>	
2-17	34 Plaintiff's Motion for Dismissal with prejudice, and brief in support, filed. k	
2-18	35 Affd. of deft. re exhibits and witnesses, filed. g	
2-18	36. Order, filed & entered dismissing claim for relief, cause of action and complaint with prejudice. (AEB-J)k cps mld	
2-19	37. Trial brief of Deft. Marcus Horn, filed. k	